

ORDINANCE NO. 18168-07-2008

AN ORDINANCE VACATING AND EXTINGUISHING A PORTION OF FERRIS STREET, ABUTTING LOT 18, BLOCK 12 AND LOT 9, BLOCK 11 OF TOWN OF TARRANT ADDITION, AN ADDITION TO THE COUNTY OF TARRANT, TEXAS, AS RECORDED IN VOLUME 106, PAGES 114-115 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS, BEING 60 FEET WIDE BY 140 FEET LONG, CONTAINING APPROXIMATELY 8,364 SQUARE FEET OR 0.192 ACRE OF LAND; PROVIDING FOR REVERSION OF FEE IN SAID LAND, PROVIDING THAT THE CITY SHALL RETAIN ALL EXISTING UTILITIES EASEMENTS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That a portion of Ferris Street, abutting Lot 18 in Block 12 and Lot 9 in Block 11 of Town of Tarrant Addition, an addition to the County of Tarrant, Texas, as recorded in Volume 106, Pages 114-115 of the Deed Records of Tarrant County, Texas, being 60 feet wide by 140 feet long, containing approximately 8,364 square feet or 0.192 acre of land, and as more specifically described in Exhibits "A" and "B" attached hereto and incorporated herein by reference be and the same is vacated and extinguished.

SECTION 2.

That the easement to the land in the above-described vacated street right of way is hereby released and shall revert to the adjacent owner as provided by law.

SECTION 3.

All existing utility easement be shall be retained by the City until such time all utilities located in that easement are relocated at the owner's expense.

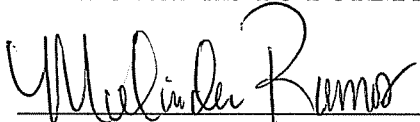
SECTION 4.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5.

That this ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:



Assistant City Attorney

Adopted and Effective: July 8, 2008

PROPERTY DESCRIPTION

BEING a description of a 8,364 square foot or 0.192 acre tract of land situated in the G.W. COUCH SURVEY ABSTRACT NO. 279, in the City of Fort Worth, Tarrant County, Texas, and being a portion of Ferris Street that lies north of Lot 18 in Block 12 and south of Lot 9 in Block 11 of Town of Tarrant (formerly Candon) an addition to the County of Tarrant as shown on the Plat recorded in Volume 106 at Pages 114-115 of the Deed Records of Tarrant County, Texas. Said 0.192 acre portion being more fully described as follows:

BEGINNING at 1/2-inch steel rod found for corner at the intersection of the existing east right-of-way line of Oak Street (a called 60 foot wide right-of-way) with the existing north right-of-way line of Ferris Street (a 60 foot wide right-of-way), and being the southwest corner of Block 11 in said addition, and also being the southwest corner of a tract of land conveyed to Palisade Investments L.P., as evidenced by the Deed recorded under Clerk's File No. DD205201470 of the Deed Records of Tarrant County, Texas;

THENCE South 89 deg. 37 min. 00 sec. East departing said Oak Street and along said north right-of-way line and the south line of said Palisade Investments tract, a distance of 139.40 feet to a 1/2-inch steel rod set for corner;

THENCE South 00 deg. 00 min. 00 sec. East, departing said north right-of-way line and said Palisade tract, a distance of 60.00 feet to a 1/2-inch steel rod set for corner on the south right-of-way line of said Ferris Street same being the northeast corner of a tract of land conveyed to Arthur E. Sahlstein as evidenced by the Deed recorded in Volume 14657 at Page 271 of the Deed Records of Tarrant County, Texas;

THENCE North 89 deg. 37 min. 00 sec. West, along said south right-of-way line and the north line of said Sahlstein tract, a distance of 139.40 feet to a 1/2-inch steel rod set for corner and being on the said east right-of-way line of Oak Street;

THENCE North 00 deg. 00 min. 00 sec. West, departing said Sahlstein tract a distance of 60.00 feet to the **POINT OF BEGINNING**;

and containing 8,364 square feet or 0.192 acre of land more or less.

Basis of Bearings:

Bearings as described above are based on the plat entitled "Town of Tarrant" an addition to the City of Fort Worth as shown on the plat recorded in Volume 388-165 at Page 33 of the Plat Records of Tarrant County, Texas.

Prepared by:

Prism Surveys, Inc.
1361 W. Euless Blvd., Suite 112
Euless, Texas 76040
817-540-8048

Note: This description is intended to describe that portion of Ferris Street (a 60 wide right-of-way that is unimproved) that lies north of Lot 18 in Block 12 and south of Lot 9 in Block 11 from Oak Street and extending east a distance of 139.40 feet;

Michael Dale Linke

Michael Dale Linke

Registered Professional Land Surveyor No. 4508



Exhibit B
VA08-011



PROJECT NO. 08-9933

COMMERCIAL, RESIDENTIAL,
BOUNDARY, TOPOGRAPHIC,
TITLE & CONSTRUCTION SURVEYS
P.O. BOX 181553
1361 W. EULESS BOULEVARD, #112
EULESS, TEXAS 76040
(817) 540-8048

City of Fort Worth, Texas

Mayor and Council Communication

COUNCIL ACTION: Approved on 7/8/2008 - Ord. No. 18168-07-2008

DATE: Tuesday, July 08, 2008

LOG NAME: 06VA-08-011

REFERENCE NO.: PZ-2789

SUBJECT:

Adopt an Ordinance Vacating a Portion of Ferris Street, 140 Feet Long by 60 Feet Wide, Containing Approximately 8,364 Square Feet, Abutting Lot 18 in Block 12 and Lot 9 in Block 11 of Town of Tarrant Addition, in the City of Fort Worth, Tarrant County, Texas, and Waive Purchase Fees

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt an ordinance vacating a portion of Ferris Street, 140 feet long by 60 feet wide and containing approximately 8,364 square feet, abutting lot 18 in block 12 and lot 9 in block 11 of Town of Tarrant Addition, City of Fort Worth, Tarrant County, Texas; and
2. Waive any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

DISCUSSION:

Prism Surveying, on behalf of Palisade Custom Homes, LP, has requested to vacate the above referenced right-of-way and to replat as its own individual lot. The applicant has planned to rezone the property and construct a new single family detached residence on the property. The City Plan Commission recommended approval of this request at its meeting on April 23, 2008. An acceptable replat (FS-08-068) has been received. Any existing utilities will be relocated at the applicant's expense, or retained within a designated easement, along with an appropriate plat note that no permanent structures may be constructed or placed thereon.

The City of Fort Worth originally obtained the above mentioned right-of-way through the platting process. The City does not own land under, or adjacent to, the above referenced right-of-way. Since no City funds have been expended to purchase property or easement rights, collection of the fee value or any portion thereof is recommended by staff to be waived.

This request is located in COUNCIL DISTRICT 5.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that this action will have no material effect on City funds.

TO Fund/Account/Centers

FROM Fund/Account/Centers

Submitted for City Manager's Office by:

Fernando Costa (6140)

Originating Department Head:

Susan Alanis (8180)

Additional Information Contact:

Alex Parks (2638)

